



STATE OF NEVADA
STATE CONSERVATION COMMISSION
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APPROVED MINUTES
STATE CONSERVATION COMMISSION

Teleconference - Tuesday, July 28, 2010
Division of Conservation Districts, Richard Bryan Building
901 S. Stewart Street, Suite 5004, Carson City, NV 89703

The Nevada State Conservation Commission held a public meeting on July 28, 2010 11:00 am at the Division of Conservation Districts, 901 S. Stewart Street, Carson City, NV 89701. The State Conservation Commission considered and acted on the following items on July 28, 2010.

Board Members Present: Vance Vesco, Big Meadow CD; Chris Freeman, Nevada Tahoe CD; Eric Rieman, Carson Valley CD.

Board Members Present Via Teleconference: Joe Sicking, Paradise/Sonoma CD; Leland Wallace, Esmeralda CD; Joseph Fortier, CD of Southern Nevada; Ed Foster, NV Dept. of Agriculture ; Donna Lamm, Southern Nye County CD; Dr. Rangesan Narayanan, UNR College of Agriculture Biotechnology and Natural Resources.

Others Present: Jim Lawrence, Acting Administrator, NV Division of Conservation Districts; Kelly McGowan, NV Division of CDs; Sandi Gotta, NV Division of CDs; Brandi Ré, NV Division of CDs; Kerry Benson, Deputy Attorney General, NV Attorney General's Office.

Others Present Via Teleconference: Shannon Berumen, Lander County CD, Bruno Bowles, Southern Nevada Water Authority; Bill Elder, NRCS.

I. CALL TO ORDER- Quorum established.

A. Chairman Sicking called the meeting to order at 11:05 am. Introductions were made of those present and participating via teleconference.

II. REVIEW AND APPROVAL OF AGENDA - *ACTION*

A. The agenda was approved as written via a motion to approve by Commissioner Freeman, seconded by Commissioner Lamm; motion passed.

III. REVIEW, AMENDMENT AND APPROVAL OF MINUTES - *ACTION*

A. *Approval of Minutes from June 10, 2010:* A motion to approve the minutes as written by Commissioner Wallace, seconded by Commissioner Fortier; motion passed.

IV. PUBLIC COMMENTS – No public comment.

V. REPORTS TO THE COMMISSION- Status of Division of Conservation Districts

1. General – Jim Lawrence –

- a. The agency budget is due to the budget office September 1st with a 10% reduction in addition to the cuts already taken within the division. Budgets are submitted on a departmental wide basis. The director's office will be working closely with the division to meeting their reductions and submitting a department budget. Department priorities will be decided in August. Kelly and Sandi have been working hard to secure additional funds through other opportunities

2. General/Correspondence – Kelly McGowan & Sandi Gotta

- a. Sandi updated the commission on the contribution agreement between the division and NRCS. The agreement will help fund travel to the districts to provide strategic planning and capacity building for the districts. The division will be able to help districts and NRCS with their priorities and those of the commissions as well. The contract has moved through the approval process through the state and will be on the Interim Finance Committee (IFC) agenda September 13 and the Board of Examiners (BOE) agenda September 15, 2010. The agreement is a 1 year agreement allocated to FY11 only. Dr. Rang questioned the allocated funds for travel; Sandi stated approximately \$8,000 were allocated for travel.
- b. Kelly reviewed the National Fish and Wildlife draft contract. The Desert Terminal Lake funding will initially provide \$67,000. Some of the funding will be used for alternative/organic crop production and the marketing of those specialty crops. The agreement with NRCS and this contract will work hand in hand.
- c. Kelly was invited to participate on the Walker River Basin Restoration Stewardship Advisory Board. The initial focus of the Council will be to assist in the development of a land stewardship program and guidance for management and stewardship practices on lands affected by the acquisition program. The council will include landowners from Mason and Smith Valley, along with federal, state and local entities involved in land management in the Walker Basin.
- d. Dr. Rang proposed working with the UNR agriculture experiment station. A funding opportunity may be available of \$20,000 to \$30,000 per year for two to three years. Dr. Rang, Kelly and Sandi will make arrangements to meet for a brainstorming session to discuss the opportunity and possibly put a proposal together.
- e. Jim made note different funding opportunities are more of the new reality instead of a temporary correction with the level of general funding the agencies are receiving. His direction is to continue seeking alternative sources of revenue in an attempt to not remain as reliant on the general fund. The division will continue to check in with the commission to ensure it does not stray from its mission on any of the funding opportunities. Commissioner Freeman noted caution in terms of putting the division in a position where they pull the general fund and make the division dependent on non-reliable funding sources. The budget target for the Division of Conservation Districts means a reduction of \$55,000 to \$60,000; which is significant for its minimal budget. Chairman Sicking noted with these cuts the commission will not be able to function.
- f. Kelly informed the commission after receiving the districts' draft financial reports; preliminary findings indicate the districts matched the state funding 24/1 in FY10 which is up from 22/1 in FY09. Although this looks like an increase, we have to keep in mind that the districts received more state

funding in previous years. Combined, two districts reported a little over 2.8 million in expenditures.

VI. AGENCY UPDATES – No Agency Update.

VII. OLD BUSINESS

A. Update on the status of the College of Agriculture, Biotechnology and Natural Resources.

- a. Dr. Rang updated the commission on the 3 proposals by the UNR Provost in March. The proposals were: 1.) Closure of Animal Biotechnology Department. 2.) Closure of Resource Economics Department. 3.) Closure of the College of Agriculture; moving the remaining three departments to the College of Science.
- b. The President made his final recommendation to the Board of Regents to close the Animal Biotechnology and Resource Economics departments. Twelve tenured faculty positions and subsequent programs, including the degree programs, were eliminated. The PhD program Ag. Economics has moved to the Business College. They retained 2 ½ positions from Ag. Economics and 5 positions from Animal Biotechnology within the university system.
- c. A decision to reduce the administration of the college, including Dr. Rang's position as the Associate Dean was eliminated. He has been reassigned to the department; however, Dean Pardini has requested Dr. Rang to continue to serve on the State Conservation Commission until June 30, 2011; when his current position will be eliminated. Currently all faculty positions are on appeal; they are asking for reconsideration of those positions. A hearing will be held, however, many faculty members have taken retirement or new positions elsewhere.
- d. The field laboratories will stay open for one year. A complete report and review of the field operations will be performed. The main station farm and the meat station are under scrutiny based on the original proposal and are under review to confirm their viability.
- e. Dr. Rang is working on the Great Basin Environmental Program. The Secretary of the Interior has developed an initiative called the Landscape Conservation Cooperative. There are 21 being established throughout the country. The Great Basin Land Conservation Cooperative (GBLCC) is currently being established. Ron Wenker of the Bureau of Land Management has been given the lead for the GBLCC. They are currently working out the logistics through the Boise office. This is strictly a coordinating organization. There will be an executive council, a coordinating team of agencies, universities, and non-governmental organizations. It will also include a stakeholder quorum to advise the executive council, work with the coordinating team and specific issue based working groups. The groups will begin meeting mid August. Money has been set aside to hire a coordinator position and science coordinator to be located in the Reno BLM office, a USGS position out of Oregon for a landscape/plant ecologist, and local administrative support staff.
- f. The Great Basin conference will be held in Reno at John Ascuaga's Nugget February 22-24, 2011.
- g. S Bar S Ranch was approved for sale; intended to sell to the tribe.
- h. Dean Thawley's position has been eliminated; however he has been transferred to the Animal Science Department and will hold that position until June 2011. He is currently out on leave until mid-September.

B. Update on new BLM of Land Management published plan for feral horses.

- a. Kelly asked how many of the commissioners had seen or reviewed the BLM Management Plan; few had seen the plan. The division will email the plan to the commissioners and provide a link on the division website for the commission to review.

Kelly noted that the BLM is requesting nominations from individuals that are interested and have special knowledge of equine behavior to serve on the assemblage of a Wild Horse and Burro Advisory Board.

b. Ed Foster provided an update on the last feral horse round-up. They took about 175 horses off the range in Pilot Valley. Approximately 173 went to the auction yard for a week; a number of calls were received by advocacy groups. The Life Savers Rescue group out of California received roughly \$62,000 from a laundry list of benefactors. The group arrived at the auction on Saturday morning, viewed the horses and by 6:00pm purchased all of the horses with the exception of 3. Volunteers moved the horses to Gary Snows holding facility. They have rented the area for 8 months and are gelding the studs and will be adopting the horses out from there. The one problem he saw with this round-up was that none of the horses that were claimed astray had been clipped, had halter cuts in their manes, horseshoe nail holes or brands. Part of the BLM plan is to schedule another round-up in August in the McDermitt area. 97% of the horses have been identified as astray through surveillance and have brands which will make the process more arduous as most of the brands are from the tribes and are not registered.

VIII. NEW BUSINESS

A. Approval of amended Conservation District budgets as per NAC 548.090, 548.100, 548.110 and 548.120 - *ACTION*

a. No amendments received. *No action required.

B. Review and approval of all Conservation District Draft Financial reports FY 2010 as per NAC 548.090 and NAC 548.110 - *ACTION

a. The commission reviewed the revised draft financial report from Quinn River Conservation District and approved the changes.

b. Commissioner Freeman noted that NE Elko's draft financial report did not show receipt of their state funding. Sandi clarified for the commission that NE Elko was issued their state grant; however the original check had been lost. The division cancelled the check and reissued the payment on May 5, 2010. As of today the state treasury report indicates the check has not been cashed or cleared the state system.

c. The Commission reviewed and approved the Draft Financial Reports for FY 2010 for all Conservation Districts as per NAC 548.100, 548.110 and 548.120. Commissioner Vesco made a motion to approve, seconded by Commissioner Rieman; motion passed.

C. Determination of District Standing as per NRS 548.178 and as per NAC 548.110 and 548.120 - *ACTION*

a. Staff reported and reviewed with the commission a letter submitted by the NE Elko Conservation District Chairman; Agee Smith regarding circumstances that led their district to be in default of holding three valid meetings within the fiscal year and request for leniency from the commission. The commission found NE Elko to show intent to comply with the regulation, providing leniency to the regulation finding the district in good standing.

b. Kerry Benson, Deputy District Attorney provided clarification of the language in the statutes. The statute states must as the requirement; which is uncommon in written law. It is unknown if the intent of the regulations when written was to be a hard and fast rule. To offer leniency, a recommendation to offer an amendment to the regulations with language of hardship and reasonable interpretation; at the commissions discretion on an individual case basis was made. The general rule of thumb is language of shall, must or may with the intent of the regulation; shall = mandatory and may = flexibility. A regulation hearing can be held at a regular board meeting; however there is a separate drafting process and notice requirement. Soliciting input involving all interested parties would be beneficial. As part of the regulation drafting process, the draft must go through

the Legislative Bureau Council and more than likely LCB would change it. A scoping meeting could be scheduled as a preliminary meeting to draft a regulation change prior to a public meeting being held and used at a later date.

c. Commission action on Districts in "Good Standing". The commission reviewed the requirements for good standing and the districts' status of being in compliance. Commissioner Rieman made a motion to find all 28 districts in good standing, seconded by Commissioner Freeman; motion passed.

D. Equally award \$112,000 from the Basic Operating Grants to Districts program to districts that have been designated as eligible as per NRS 548.178 and NAC 548.120 and 548.130 - *ACTION*

a. Award Grants to Conservation Districts in "Good Standing" with Commission approved Conservation District Budgets (FY2011), Annual Work plans (FY2011), Financial Reports (FY2010), and Annual Reports (FY2010). Funding amount is based upon expenditures and documented match detailed in each districts' Draft Financial Reports for FY2010.

b. The commission reviewed the NE Elko Conservation District's draft financial report and noted they did not show enough match to qualify them for the full grant award on the report. A discussion of the details that the district had not received the original grant funding check and that a replacement check had been issued; however, still not cashed. The commission agreed to hold NE Elko's FY11 grant until proof of the replacement check clearing and the expenditure page being corrected was received. Commissioner Lamm made a motion to award, but hold NE Elko's grant until proper documentation to verify FY10 funding had been received and processed, seconded by Commissioner Rieman; motion passed.

c. A motion was made to award grants to all districts, by Commissioner Freeman, seconded by Commissioner Vesco; motion passed.

IX. COMMISSIONER ITEMS

A. Commissioner Lamm made comment of the presentation given at the last meeting by Jason King, State Engineer, on inter-basin transfers. Commissioner Lamm was concerned with some of the language in the presentation. She has subsequently found out that the Great Basin Water Network has submitted some proposals for legislation regarding inter-basin water transfers; where they are very specifically stating the items that need to be taken into consideration. Donna will send the report to Sandi and Sandi will forward it out to the commissioners.

X. PUBLIC COMMENTS – No public comment.

XI. NEXT COMMISSION MEETING - *ACTION*

A. The next SCC meeting will be held on October 25, the day before the NvACD annual meeting being held in Pahrump on October 26 and 27, 2010. Agenda items and exact location of the meeting have not been confirmed. The division will post the information on the website as soon as it becomes available. It was suggested to hold the meeting either during the NvACD meeting or after the business meeting on the last day to help eliminate costs. The division will wait until the agenda and format of the NvACD meeting is released to make a decision on what will work best for the commission.

B. Commissioner Vesco will report on the BLM Horse Plan at the next meeting.

XII. ADJOURNMENT - *ACTION*

A. Commissioner Freeman made a motion to adjourn, seconded by Commissioner Vesco, meeting adjourned at 12:17 pm.